

AMENDMENT TO H.R. 5005, As Reported
OFFERED BY MS. SCHAKOWSKY OF ILLINOIS AND
MR. KUCINICH OF OHIO

Strike subtitle C of title VII.

Strike section 762 and insert the following:

1 SEC. 762. REMEDIES FOR RETALIATION AGAINST WHISTLE-
2 BLOWERS.

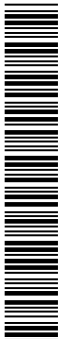
3 Section 7211 of title 5, United States Code, is
4 amended—

5 (1) by inserting “(a)” before “The right”; and

6 (2) by adding at the end the following:

7 “(b) Any employee aggrieved by a violation of sub-
8 section (a) may bring a civil action in the appropriate
9 United States district court, within 3 years after the date
10 on which such violation occurs, against any agency, orga-
11 nization, or other person responsible for the violation, for
12 lost wages and benefits, reinstatement, costs and attorney
13 fees, compensatory damages, and equitable, injunctive, or
14 any other relief that the court considers appropriate. Any
15 such action shall, upon request of the party bringing the
16 action, be tried by the court with a jury.

17 “(c) The same legal burdens of proof in proceedings
18 under subsection (b) shall apply as under sections



1 1214(b)(4)(B) and 1221(e) in the case of an alleged pro-
2 hibited personnel practice described in section 2302(b)(8).

3 “(d) For purposes of this section, the term ‘employee’
4 means an employee (as defined by section 2105) and any
5 individual performing services under a personal services
6 contract with the Government (including as an employee
7 of an organization).”.

